

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

JUDGMENT ON ATTORNEY'S FEES IN A CIVIL CASE

CHRISTINA MONDOLFI

VS.

**CASE NUMBER: 3:09-cv-649
(NAM/DRH)**

**MICHAEL ASTRUE,
Commissioner of Social Security**

Decision by Court. This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

IT IS ORDERED AND ADJUDGED that the final decision of the Commissioner be and hereby is REVERSED, and the matter is REMANDED to the Defendant for this further administrative action, and it is further ORDERED that the within matter, be and hereby is, DISMISSED in accord with the decision in *Melkonyan v. Sullivan*, 11 S. Ct. 2157 (1991).

IT IS ORDERED AND ADJUDGED that Plaintiff be awarded fees under the Equal Access to Justice Act in the amount of five thousand two hundred fifty-nine dollars (\$5,259.00). Payment is to be made directly to Plaintiff's attorney, Peter A. Gorton.

All of the above pursuant to the Orders of the Honorable Judge David R. Homer, dated the 10th day of November, 2009 and the Honorable Chief District Judge Norman A. Mordue, dated the 15th day of December, 2009.

DATED: December 15, 2009


Clerk of Court

s/ Melissa Ennis

Melissa Ennis
Deputy Clerk